

JUL 10 2001 PCT/PTO 0 5 JUN 2001

PATENT  
ATTORNEY DOCKET NO.: 053775-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Bradley J. McGill and Evan J. Winston	)	
	)	
U.S. Application No.: Not Yet Assigned	)	Group Art Unit: Not Yet Assigned
	)	
Date of National	)	Examiner: Not Yet Assigned
Stage Entry : Concurrently Herewith	)	
	)	
Based on PCT/US01/11748	)	
Filed : May 4, 2001	)	
	)	
For: DERIVATIVE SECURITIES AND SYSTEM	)	
FOR TRADING SAME	)	

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage in an international application.

A copy of each listed document is attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

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Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



Lesley L. Coulson  
Reg. No. 46,642

Dated: June 5, 2001  
MORGAN, LEWIS & BOCKIUS LLP  
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## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket No.  
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## U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	5,375,055	December 20, 1994	Togher et al.	364	408	February 3, 1992
	5,802,499	September 1, 1998	Sampson et al.	705	35	July 13, 1995
	5,806,048	September 8, 1998	Kiron et al.	705	36	October 12, 1995
	5,950,176	September 7, 1999	Keiser et al.	705	37	March 25, 1996
	5,963,923	October 5, 1999	Garber	705	37	June 3, 1997
	5,987,435	November 16, 1999	Weiss et al.	705	36	October 30, 1997
	6,058,379	May 2, 2000	Odom et al.	705	37	July 11, 1997
	6,061,662	May 9, 2000	Makivic	705	36	August 15, 1997
	6,064,985	May 16, 2000	Anderson	705	36	January 21, 1998
	6,088,685	July 11, 2000	Kiron et al.	705	36	August 27, 1998
	6,098,051	August 1, 2000	Lupien et al.	705	37	April 26, 1996

## FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation YES NO	
WO 01/08063	February 1, 2001	Patent Cooperation Treaty	G06F	17/60		

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	"Alternate Trading Systems: The New Regulatory Framework", Sara Hewitt and Gerard R. Boyce, < <a href="http://www.brownraysman.com/publications/corpopd/corpop0199.html">http://www.brownraysman.com/publications/corpopd/corpop0199.html</a> >
	"The SEC's Assault On Electronic Trading", Dale A. Oesterle, Regulation, Vol. 21, No. 3, 1998, pp. 17-23
	"Trends in Trading", Bill Irving and Tony Evangelista, Perspectives/Trading, 2000, pp. 4-9
	"About Nasdaq InterMarket", < <a href="http://www.intermarket.nasdaqtrader.com/about.stm...">http://www.intermarket.nasdaqtrader.com/about.stm...</a> >
	"Blackbird: Intelligence", < <a href="http://www.blackbird.net/sub/10_14_2k.html">http://www.blackbird.net/sub/10_14_2k.html</a> >

Examiner

Date Considered

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**FOREIGN PATENT DOCUMENTS**

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							YES	NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

		"Bond Connect - Where liquidity meets", <wysiwyg://216/http://www.bondconnect.com/aboutus/index.html >
		"Business Wire:", <http://www.findarticles.com/cr_0/m0EIN/2000_Nov_17/67044212/print.jhtml >
		"Derivatives Strategy - April 2000: Alternative Trading Systems Fight for Turf", <http://www.derivativesstrategy.com...ne/archive/2000/0400feal.asp?print... >
		"Derivatives Strategy - April 2000: Who's Doing What?", <http://www.derivativesstrategy.com...ne/archive/2000/0400fea6.asp?print... >
		"Eprocessing", <http://www.sungard.com/about_eprocess.cfm... >
		"Fenics - Welcome to Fenics.com", <http://www.fenics.com/index.cfm... >

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## FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation YES NO	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	"SunGard Integration Pays Off", (related website) < <a href="http://www.risk.net/supplements/technology/technologyrisk00-news.html">http://www.risk.net/supplements/technology/technologyrisk00-news.html</a> >
	"Hedge Funds, RCGPSD: on-line traditional portfolio management, online trading", < <a href="http://www.rcgpsd.com/mds/hedgefundsac.asp">http://www.rcgpsd.com/mds/hedgefundsac.asp</a> >
	"Investment Dealers' Digest:", < <a href="http://www.findarticles.com/cf_0/m...1999_august_9/55378118/print.jhtml">http://www.findarticles.com/cf_0/m...1999_august_9/55378118/print.jhtml</a> >
	"Liquidnet - The Company", < <a href="http://www.liquidnet.com/company.html">http://www.liquidnet.com/company.html</a> >
	"PANALYTIX: Advanced Term Structure Analytics", < <a href="http://www.panalytix.com/home.html">http://www.panalytix.com/home.html</a> >

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							YES	NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

		"PANALYTIX: ApeX Deal Manager-Def...ging of Swaps and Swap Derivatives", (related website) <http://www.panalytix.com/trading.html>
		"PANALYTIX: Recent News:", (related website) <http://www.panalytix.com/news.html>
		"PR Newswire", <http://www.findarticles.com/cf_0/m4PRN/2000_Dec_5/67580887/print.jhtml>
		"PR Newswire", <http://www.findarticles.com/cf_0/m4PRN/2000_Dec_13/67929080/print.jhtml>
		"TheStreet.com: Electronic Trading...Wait Patiently for Exchange Status", wysiwyg://342/http://www.thestreet.com/stocks/trading/985140.html>

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**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	"TradeWeb", < <a href="http://www.tradeweb.com/...">http://www.tradeweb.com/...</a> >
	"Welcome to NYFix", < <a href="http://www.nyfix.com/frameset/welcome.html">http://www.nyfix.com/frameset/welcome.html</a> >
	"NYFix, Inc. Reports Record Third Quarter Results Revenues Rise 115+ % Earnings Rise 350+ % Listed Order Flow Exceeding 400 Million Shares", (related website) < <a href="http://www.trinitech.com/press_releases/10-26-00.html">http://www.trinitech.com/press_releases/10-26-00.html</a> >
	"Finance Home-Yahoo!-Help", (related website) < <a href="http://biz.yahoo.com/bw/010109/ct_nyfix.html">http://biz.yahoo.com/bw/010109/ct_nyfix.html</a> >
	"Business Wire: NYFIX Millennium, LLC Announces Broker/Dealer Approval; ATS Plans on Target", (related website) < <a href="http://www.findarticles.com/m0EIN/2000_July_12/63326078/pl/article.jhtml">http://www.findarticles.com/m0EIN/2000_July_12/63326078/pl/article.jhtml</a> >

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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	"Why Use AZX", < <a href="http://www.azx.com/azxwhy.shtml">http://www.azx.com/azxwhy.shtml</a> >
	"Yahoo-WAMEX Holdings and IB Channel.com Partner to Launch New Round the Clock Global Trading Platform; eSpeed, Inc. and Charles Schwab & Co., Inc. Sign Deal to Give Retail Investors Broader Access to Electronic Trading of U.S. Treasury and U.S. Agency Securities", < <a href="http://biz.yahoo.com/pz/000512/7673.html">http://biz.yahoo.com/pz/000512/7673.html</a> >
	"WAMEX Holdings, Inc. - About WHI", (related website) < <a href="http://www.wamx.com/about/index.shtml">wysiwyg://356/http://www.wamx.com/about/index.shtml</a> >
	"CBOE Announces Increased Call Strike Flexibility in Equity Flex® Options < <a href="http://www.cboe.com/exchange/news/20000210.html">http://www.cboe.com/exchange/news/20000210.html</a> >
	"LEPOs-Low Exercise Price Options", Derivatives Division 1800 028 585

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